

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

IN RE: BROILER CHICKEN GROWER
ANTITRUST LITIGATION (NO II)

MDL No. 6:20-2977-RJS-CMR

Hon. Chief Judge Robert J. Shelby

Hon. Cecilia M. Romero

**ORDER GRANTING PLAINTIFFS' MOTION FOR AN ORDER COMPELLING
NON-SETTLING DEFENDANTS
TO PRODUCE EXPERT REPORTS AND MATERIALS**

Before the court is Plaintiffs'¹ Motion for Order Compelling Non-Settling Defendants² to produce certain expert reports and documents relied upon by certain experts that were disclosed in a parallel antitrust litigation³ (Motion) (ECF 237),

Upon review of the Motion, and the Non-Settling Defendants' Response in which the Non-Settling Defendants take no position as to Plaintiffs' Motion (ECF 244), and for good cause appearing therefore, the court hereby GRANTS the Motion.

IT IS HEREBY ORDERED:

1. Non-Settling Defendants shall immediately produce the following documents to Plaintiffs:
 - a. Unredacted copies of Defendants'⁴ expert reports disclosed in the Downstream Litigation;
 - b. All materials relied upon in those reports, excluding only the direct purchaser plaintiffs' expert reports and deposition transcripts;

¹ Plaintiffs include Haff Poultry, Inc., Nancy Butler, Johnny Upchurch, Jonathan Walters, Myles Weaver, Melissa Weaver, Marc McEntire, Karen McEntire, Mitchell Mason, and Anna Mason.

² Non-Settling Defendants are Koch Foods, Inc.; Koch Meat Co. Inc. d/b/a Koch Poultry Co. (collectively, Koch), Pilgrim's Pride Corporation (Pilgrim's), Sanderson Farms, Inc.; Sanderson Farms, Inc. (Food Division); Sanderson Farms, Inc. (Processing Division); and Sanderson Farms, Inc. (Production Division) (collectively, Sanderson).

³ *In re Broiler Chicken Antitrust Litigation*, No. 1:16-cv-08637 (N.D. Ill.) (the Downstream Litigation)

⁴ Defendants are Koch, Perdue Foods, LLC, Pilgrim's, Sanderson, and collectively Tyson Foods, Inc., Tyson Chicken Inc., Tyson Breeders, Inc., and Tyson Poultry, Inc (Tyson).

DATED this 13th day of January 2022.

Cecilia M. Romero

Magistrate Judge Cecilia M. Romero
United States District Court for the District of Utah